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# The Evening Standard

FEARLESS, INDEPENDENT, PROGRESSIVE NEWSPAPER.

OGDEN CITY, UTAH, MONDAY EVENING, JANUARY 13, 1913

## WEATHER FORECAST

THE INDICATIONS ARE THAT THE WEATHER WILL BE CLOUDY TONIGHT AND TUESDAY WITH SNOW; WARMER TUESDAY.

## JUDGE ARCHBALD IS FOUND GUILTY

Senate, Sitting as a Court of Impeachment, Finds That Commerce Court Judge Misused His Office and Power for Personal Gain.

## PENALTY IS REMOVAL FROM OFFICE

Sixty-Eight Senators Vote For Conviction on First Count—Judge and Family Await Verdict in Ante-room—Justice White Will Assign Successor.

Washington, Jan. 13.—"Guilty" on five of the 13 impeachment articles against him was the verdict of the senate today in the case of Judge Robert W. Archbald of the commerce court, charged with misuse of his power as a judge for his personal gain. The judge was convicted on the first, third, fourth, fifth and thirteenth charges and acquitted on the second, sixth, seventh, eighth, ninth, tenth, eleventh and twelfth.

This removes him from office. Smoot and Sutherland of Utah were among the senators who voted for conviction.

The senate in executive session decided to impose on Judge Archbald the full penalty of removal from office and disbarment from ever again holding a position of honor or profit for the United States.

Washington, Jan. 13.—Judge Robert W. Archbald of the commerce court was found guilty today by the senate, sitting as a court of impeachment, of having misused his office and power as a judge for his personal gain. The penalty is removal from office.

Archbald was convicted on the first count of thirteen which the house brought against him. It charged that he had used his position as a judge to persuade the Erie Railroad company to give to him and E. J. Williams of Scranton an option on a coal dump at a price probably \$30,000 less than its real value.

On this, the first charge, the senate voted 68 to 5 for conviction of "high crimes and misdemeanors." Although the verdict insured Judge Archbald's removal from the bench and the service of the United States courts, the senate then proceeded to vote on the other twelve counts of the articles of impeachment, which charged various other acts where Archbald had improperly used his influence as a judge.

Judge Admitted Nearly All Facts. At his trial the accused judge admitted practically all the facts of every accusation brought against him, but protested in defense that none of them was wrongful nor corrupt, nor could he have been convicted in any court of law for them.

The conviction on the first count came with an unexpected majority against Judge Archbald, but two-thirds being necessary for a conviction. As the rollcall proceeded 68 senators rose slowly in their places and pronounced the word "guilty" in low tones.

As the vote on the first article was announced, Senator Hoke Smith of Georgia moved that the senate go into executive session. He said that he believed a vote on the other counts might be dispensed with or abridged by secret deliberation.

Senator Culberson and Senator Poinsett objected that the senate could not vote on the articles in executive session. After some discussion, Senator Smith withdrew his motion and the clerk proceeded to read the second article.

Senator Bacon, who had presided throughout the impeachment proceedings, asked to be excused from all votes unless his vote was necessary to a decision. On the second count Senator Smith of Georgia also asked to be excused from voting.

Archbald Waits to Hear Verdict. Judge Archbald waited in an ante-room to hear the verdict which removes him from public life. All eyes at the moment the verdict was announced were riveted upon a woman in the senate gallery so closely resembling Mrs. Archbald that she was mistaken for the judge's wife. Mrs. Archbald was not present.

With Judge Archbald, as he received the vote of the senate were Mrs. Archbald, his son, Hugh Archbald, and Mrs. Hugh Archbald. The judge's

respondence with Mr. Bruce was only to clear up a disputed bit of testimony and was not material to the decision.

That Judge Archbald influenced officials of the Philadelphia & Reading Coal and Iron company, owned by the Reading railroad, to grant a lease on a coal property to Frederick Warnke, for which service Warnke gave him a note for \$500. Judge Archbald denied that he wrongfully used his influence with the Reading company and asserted that the note given by Warnke was payment for certain other coal properties in which Judge Archbald had an interest.

That he tried to influence officials of the Lehigh Valley railroad to buy an interest in 800 acres of coal land belonging to the "Everhart heirs." Judge Archbald denied this.

That he settled an insurance suit in favor of W. W. Rissinger of Scranton and accepted certain gold mining stock from Rissinger. Judge Archbald declared the stock was not a reward for his decision, but collateral given him to protect him on a note he had signed with Rissinger.

That Archbald attempted to have a \$500 not discounted by C. G. Boland and W. P. Boland, litigants in his court. Judge Archbald denied his position as judge had any connection with the discounting of the note.

That the same note was presented to C. E. Vanstorch, an attorney practicing before his court at the time, for discount. Judge Archbald denied that his position as a judge had anything to do with the discounting of a note.

That Judge Archbald accepted a trip to Europe at the expense of Henry W. Cannon of New York, a director of several railroads. The defense was that Mr. Cannon was Mrs. Archbald's cousin and that the trip was an ordinary family courtesy.

That Judge Archbald accepted, at the outset of this trip, a purse of \$500 raised by Scranton attorneys practicing in his court. He answered that he knew nothing of the collecting of this purse until after it had been presented to him.

That Judge Archbald appointed as jury commissioner in the middle district of Pennsylvania J. B. Woodward, a railroad attorney. His answer was that Woodward was selected for his fitness for the position and that the method of jury selection was such that no undue influence could be exerted by a commissioner.

That Judge Archbald had sought to obtain credit from and through persons interested in suits in his court, that he had carried on a general business in coal dumps for "speculation and profit" while a judge, and had unlawfully influenced railroad officials. All these general charges were denied.

## TODAY IN CONGRESS

Washington, Jan. 13.—Senate.

Met at noon.

Passed bill to require all anti-trust suits to be heard in public.

Campaign funds investigating committee heard testimony of Gilchrist Stewart on the Archbald letters.

Court of impeachment voted on articles of impeachment against Judge Robert W. Archbald.

Senator O'Gorman introduced a bill to grant medals to all survivors of battle of Gettysburg.

Appropriations committee agreed to recommend provision for commerce court until close of fiscal year.

Legislative, executive and judicial appropriation bill, carrying \$35,385,714, was reported.

House.

Convened at 11 a. m.

Resumed debate on postoffice appropriation bill.

Ways and means committee concluded its hearings on tariff revision, the lumber and silk schedules being taken up.

Gloucester fishing interests were heard by merchant marine committee on bill for hospital ship for fishing fleet.

Secretary May presented three battleship program to naval affairs committee.

JOHANSEN CASE IS POSTPONED

Los Angeles, Jan. 13.—The case of Anton Johansen, the San Francisco labor leader, charged jointly with Olaf A. Tveitmo, Eugene Clancy and J. E. Munsey with having plotted to bring dynamite into California, was postponed today until the July term of court.

Tveitmo, Clancy and Munsey were convicted recently in the Indianapolis dynamite conspiracy trial, and the continuance ordered here today was at the desire of the federal prosecutors to await the outcome of the appeals entered in the east in behalf of the convicted labor leaders.

HOUSE PASSES AN AMENDMENT

Washington, Jan. 13.—An amendment to the postoffice measure, annulling the executive orders which placed fourth class postmasters and assistant postmasters and clerks of first and second class postoffice under civil service was adopted by the house today, sitting as a committee of the whole.

It was offered by Representative Cullom of Indiana, and will have to come before the house again when it finally passes on the bill.

All Republicans refrained from voting.

Actions of the man behind a bass drum speak louder than words.

## TURKS MUST DECIDE WAR

Ambassadors Final Note Will Leave Issue in Ottomans' Hands

London, Jan. 13.—The European powers will present their peace note to the Turkish government immediately. The final draft was agreed to unanimously at today's meeting of the ambassadors.

London, Jan. 13.—The issue of peace or war will rest with Constantinople after the final drafting of the note to the Ottoman government, which will be settled at today's meeting of the ambassadors at the British foreign office.

The ambassadors today will decide also the mode and time of presentation of the document to the porte.

The convocation of the Turkish grand council is considered a sign in favor of peace. If Turkey were ready for war, the calling together of the council would be unnecessary. Like that of 1878, at the time of the Russo-Turkish war, the present grand council appears destined to share with the Turkish cabinet the responsibility of making peace, on this occasion, by yielding the fortress of Adrianople.

Rumania's Neutrality Questioned.

The negotiations continue between M. Jonescu, minister of the interior for Rumania, and Dr. S. Danef, leader of the Bulgarian peace delegation. It seems that Bulgaria questions strongly Rumania's neutrality and it is declared she is able to prove that Bucharest allowed 800 trucks of war material from Germany to pass through Rumanian territory on the way to Turkey.

## RAILWAY CO. MEN RESIGN

Officers and Directors of Union Pacific Obey Court Order

New York, Jan. 13.—Directors and officers of the Union Pacific railroad, who were also directors of the Southern Pacific, tendered their resignations today as the first step in compliance with the decree of the supreme court dissolving the two roads inversely, directors of the Southern Pacific connected with the Union Pacific also resigned.

Julius Kruttschnitt resigned as director of maintenance and operation of the Union Pacific and was elected chairman of the board of the Southern Pacific, succeeding R. S. Lovett.

Resigned, Judge Lovett, Mortimer I. Schiff and Frank A. Vanderlip also resigned from the Southern Pacific executive committee and were succeeded by Robert Goetz, James N. Wallace and E. P. Swenson.

From the Southern Pacific board of directors, in addition to Judge Lovett, the following resigned:

Otto H. Kahn, Charles A. Penbody, M. L. Schiff, Frank A. Vanderlip, L. W. Goetz, L. J. Spence (vice president) and Marvin Huggitt. In their stead the following were chosen:

James N. Wallace, Horace Harding, W. P. Bliss, C. N. Bliss, C. H. Leigh, W. L. Jarvis, C. H. Kelsey and E. P. Swenson.

## SILK MEN ARE BEING HEARD

Tariff Committee Take Testimony on Silk and Lumber

Washington, Jan. 13.—The lumber and silk schedules of the tariff were the issue in testimony today before the house ways and means committee. There was no Democratic bill for these schedules at the last session to afford a tentative plan for the committee.

Schedule D of the present law covers timber, sawed boards, posts, clapboards, lath, pickets, casks, boxes, blinds, cabinet furniture and so on at ad valorem duties ranging from 10 per cent on posts, 20 per cent on boxes, barrels, casks and hogsheads to 45 per cent on willow furniture and a variety of rates on various classes of lumber.

Schedule L covers silks, velvets, chenilles, handkerchiefs, ribbons, laces, yarns and threads. The silk association of America was among the organizations represented today.

William E. Uptogoke of Brooklyn today asked the committee to retain the present tariff of 10 per cent ad valorem on boards, planks and cabinet wood not further manufactured than sawed, and 20 per cent ad valorem on furniture.

FREE LUMBER AND FREE MEAT

Washington, Jan. 13.—"Free lumber" as part of the Democratic tariff program of the coming extra session of congress seemed assured today at the hearing before the house

committee on ways and means. The lumber schedule was closed so far as the hearings were concerned. The colloquies between the Democratic members of the committee and the witness indicated the intention of a majority of the committee upon putting rough and dressed lumber, hewn and squared timber, shingles, laths and fence posts on the free list.

Representative Kitchin of North Carolina, Democrat, referred incidentally to meats and Representative Longworth of Ohio, Republican, asked:

"Do you Democrats purpose to put meat on the free list?"

"Yes," replied Kitchin. "I'm going to vote for it."

Representative James of Kentucky Democrat, in the cross-examination referred to "the greater necessity for conserving the interests of the poor people than of conserving lumber."

The lumber schedule occupied a little more than three hours' consideration. Later today the silk schedule was taken up, with the Silk Association of America, comprising two-thirds of the silk industry of the country represented. Its spokesman was Horace B. Cheney of South Manchester, Conn. who urged retention of the present silk tariff.

## BALLOT LAW A POOR ONE

Gov. Shafroth Urges an Amendment to State Constitution

Denver, Colo., Jan. 13.—A constitutional amendment providing for a "short ballot," with all the executive officers of the state appointed by the governor, was recommended to the nineteenth general assembly of Colorado by J. F. Shafroth, its retiring chief executive, in his biennial message today. The governor called attention to the present headless ballot law, which he says makes it difficult for the voter to pass upon the merits of the individual candidates for state offices. He added:

"The governor generally is held responsible for the action of the entire executive department of the state, and he ought to have officers in such departments in sympathy with his administration."

Among the other recommendations made by Governor Shafroth, who was designated by the voters of the state at the last election for United States senator, are the following:

Bank guaranty law, employee compensation act, presidential preference primary elections, a law designed to lessen danger of coal mine explosions, a state automobile tax for improving highways, an appropriation of \$10,000 for state representation at the San Francisco and San Diego expositions in 1915.

The governor asserted that the federal government's conservation policy "has been so detrimental as to render development of our natural resources almost impossible."

He urged legislation to prevent monopoly of the natural resources of the state.

## SAYS COUNTRY IS PROGRESSIVE

Trenton, N. J., Jan. 13.—President-elect Wilson proclaimed today that "the spirit of the country in the national election demonstrated a unanimity of progressive thought," and announced that he expected to have associated with him in office "only progressive" men.

The governor was speaking at a luncheon given to the New Jersey electors by the Democratic state committee. "I shall therefore not be acting as a partisan," he continued, "when I pick out progressives and only progressives. I shall only be acting the will of the people."

He said it was a pleasure to find men's minds and purposes yielding to the great impulse of progressive thought.

"I do not foresee any serious division of counsel in the Democratic party," he said. "On the contrary, I see every evidence of solidarity. Men who have hitherto not yielded their judgment to the movement of the age now are everywhere yielding."

After the luncheon the electors went to the statehouse and cast their fourteen ballots for Woodrow Wilson and Governor Marshall.

Fitzwilliam McMaster Woodrow, a cousin of the governor, will be messenger to Washington with New Jersey's ballot. Young Woodrow is a senior at Princeton university.

## SUFFRAGETTE BAN IS LIFTED

London, Jan. 13.—The British government today reversed its long placed ban on the reception of deputations of suffragettes and agreed to welcome in association of America was among the organizations represented today.

William E. Uptogoke of Brooklyn today asked the committee to retain the present tariff of 10 per cent ad valorem on boards, planks and cabinet wood not further manufactured than sawed, and 20 per cent ad valorem on furniture.

LOWLANDS INUNDATED.

Evansville, Ind., Jan. 13.—With the rise increasing at 3 foot an hour, the result of the swell of Saturday's heavy rain, the river here today passed 45.5 feet. Hundreds of square miles in the bottom lands are inundated three to twenty feet deep and property loss will run into a high figure.

## LAW CLERK A WITNESS

Tells Story of Stealing of Famous Archbald Letters From Files

Washington, Jan. 13.—A story of how copies of letters from John D. Archbald to former Senator Foraker and other public men were taken from the Standard Oil company's office at 26 Broadway, New York, by W. W. Winkfield and Charles Stump, negro messengers employed by the company, was told to the senate campaign funds investigating committee today by Gilchrist Stewart, a negro law clerk. Stewart said he was employed by Mr. Foraker to investigate whether certain alleged photographic copies of letters published were forgeries. Winkfield said and told him a story of how he and Stump took copies of letters from the Standard Oil files and disposed of them to a representative of the New York American.

While in Chicago on December 21, Stewart declared, he was kidnapped by "gangsters," taken to the office of the Chicago examiner and robbed of a number of letters and papers, including two letters to him from former Senator Foraker. The witness gave a circumstantial account of his efforts to escape from the "gangsters," who had searched the house in which he was stopping, and of the alleged scene in the Examiner's office.

Said They Were Policemen. The men who kidnapped him, he said, told him they were policemen, exhibited what purported to be warrants and attempted to make believe the Examiner's office was a police station.

Chairman Clapp read into the record a translation, furnished by John D. Archbald, of a cipher telegram put into evidence recently with a number of the "Archbald letters."

Telegram Translated. The translation given out by the committee follows:

"26 Broadway, New York, September 25, 1900.

"Hon. J. B. Sibley, Franklin, Pa.: 'Have returned here and will be glad to see you at any time. Have communicated with A. J. Cassatt and will see him in Philadelphia, Pa. If we so desire, either Thursday or Friday. Will Charles Miller be here this week?' (Signed.)

"J. D. ARCHBOLD."

## DR. FRASER IS ARRESTED

City Charges Him With Falsifying Record of Birth

San Francisco, Jan. 13.—On complaint of the city board of health a warrant was issued today for the arrest of Dr. W. W. Fraser of Weaverville, charging him with having falsified a public record of birth. Dr. Fraser certified that a son was born on September 1, 1910, to Charles Eugene Edward Slingsby of a wealthy English family and his American wife, Dorothy Morgan Cutler Slingsby. The complaint charges that Dr. Fraser was a party to the substitution of an illegitimate child, born to Lillian Anderson of Geyersville, which Mrs. Slingsby foisted upon her husband as his.

The Slingsbys are now in England with the child, which they both assert is theirs.

## IDAHO JUDGES TO BE INSPECTED

Boise, Ida., Jan. 13.—Progressive members of the state legislature at a conference today discussed the advisability of introducing a resolution in the house of representatives providing for the institution of impeachment proceedings against the judges of the Idaho supreme court. No definite conclusion was reached.

The contemplated action is the outgrowth of the filing and imprisonment for contempt of court of R. S. Sheridan, C. O. Broxon and A. R. Cruzen.

PANAMA CANAL TO BE FORTIFIED

Washington, Jan. 13.—The first formal move toward making the United States naval station at Guantanamo, Cuba, was taken today when orders were issued designating a board of officers of the army and navy to visit Guantanamo immediately for finally approving or amending the elaborate plans of defense prepared by the joint board upon data furnished by the army and navy colleges.

## GOVERNOR SULZER TO MAKE THEM OBEY

Yonkers, N. Y., Jan. 13.—With its 50,000 inhabitants in convenience for the past week by a complete tie-up of its trolley car service, Yonkers saw a ray of hope today in an order from Governor Sulzer that the public service commission take a hand in the situation. It is declared that the commission has power to impose a fine of \$5,000 a day in case a corporation fails to obey its orders, and if such procedure were taken, it would be the

first time this authority has been applied in a strike.

The street car men quit because a non-union man had been employed. "In violation," as Governor Sulzer declared in his order, "of what is conceded to be a proper policy." President Frederick W. Whitridge of the company said today that he seemed to be between two fires, for, while the commission threatened a fine of \$5,000 a day if he did not run the cars, he was also liable to a fine of \$50 for every strike-breaker brought into the city, according to a local ordinance.

## GOVERNMENT OWN SYSTEM

All Telephones in British Isles Pass Into Hands of State

London, Jan. 13.—The British government is to pay the National Telephone company of the United Kingdom the sum of \$62,576,230 for its property, according to a decision reached by the railway and canal commission, sitting as a court of arbitration.

The whole of the telephone system in the British Isles passed into the hands of the state on January 1, 1912. The National Telephone company originally asked \$105,000,000 for its interests, but during the 73-day trial just ended this claim was reduced by many millions.

## ARMY TO USE NEW AUTOMATIC RIFLE

Washington, Jan. 13.—The automatic revolver, after many years' trial having finally found favor in the army and having been adopted as the standard arm, the ordnance bureau now has taken steps to embody the same principle in the army rifle.

Circulars are to be sent inviting the attention of American inventors to this subject and indicating the needs of the bureau in the points of simplicity, strength, durability and easy assembly of a semi-automatic shoulder rifle. The calibre is to be about .30, and the magazine capacity eight cartridges, though the department would welcome designs for transforming the present service rifle into a semi-automatic weapon, even though its capacity is limited to five shots.

## M'GINNITY WILL RULE IN TACOMA

Newark, N. J., Jan. 13.—Joe J. McGinnity, long a conspicuous figure in baseball in the east, bade good-by to the "fans" here yesterday and is on his way to Tacoma, Wash., to take charge of the Northwestern league club there, which he purchased recently.

For years McGinnity was one of the stars of the major leagues and won the nickname of "Iron Man" by his willingness to pitch a game in every series for his team and sometimes double headers. For several years he has had an interest in the Newark club of the International league, which he sold out last fall.

## FLOOD BULLETINS

THOUSANDS DRIVEN FROM HOMES.

Cincinnati, Jan. 13.—The Ohio river continued to rise steadily but more slowly today, the tide at 9 o'clock being 61.2 feet. The government forecast predicted that the rise would continue today and tomorrow and that probably a maximum stage of 63 feet would be reached.

This prediction was made on the assumption that there would be no more rain the next two days.

It was estimated that 2000 persons had been driven from their homes in Cincinnati and the cities of Covington, Newport and Dayton, across the river in Kentucky. Many factories have been flooded and hundreds of persons thrown out of work.

## OUTLOOK MORE HOPEFUL

Louisville, Ky., Jan. 13.—Police and fire department employees, working to move families from districts menaced by the Ohio river flood, were cheered this morning by news that the rise was less rapid than registered last night. While nearly 1000 persons had been driven from their homes today and the outlook was that this number would be doubled, yet it was believed property damage would not be as heavy as in previous record floods.

Parkersburg, W. Va., Jan. 13.—The Ohio river was stationary here this morning at forty-five feet.

Washington, Jan. 13.—The weather bureau's flood bulletin today says: "The Ohio river is falling at Pittsburg, but continues to rise below. At Cincinnati Monday morning the stage was 61 feet, 11 feet above flood stage. Flood stage will be reached at Cairo about Wednesday."

## LANES OF OCEAN TRAVEL CHANGED

Washington, Jan. 13.—The principal trans-Atlantic steamship lines, having decided a few days ago to change their lanes of travel across the ocean, the naval hydrographic office has prepared and made ready for distribution a supplement to its pilot chart, published two weeks ago. The new charts show the new routes.

## You Should Appreciate the Pure Food Crusade

You can aid the cause by protecting yourself. Insist upon products that are known to you and not to be doubted.

Manufacturers who advertise in THE STANDARD have nothing to hide; they make foods that measure up to the pure food standard; they consider the good health of the nation above mere gain, and are among America's greatest advertisers.

They have justifiable confidence in the quality of their goods and

spend huge sums in advertising. They protect you against impure foods by making their brand marks, names and products familiar to you.

Help yourself and help the nation by patronizing the manufacturers who advertise in THE STANDARD. Read THE STANDARD'S advertisements closely and constantly every day. This habit will keep you posted on the most reliable products, and direct you to the most reliable merchants in Ogden.